

**No. 11**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**97th Legislature**  
**REGULAR SESSION OF 2013**

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Senate Chamber, Lansing, Tuesday, February 12, 2013.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Anderson—present  
Bieda—present  
Booher—present  
Brandenburg—present  
Casperson—present  
Caswell—present  
Colbeck—present  
Emmons—present  
Green—present  
Gregory—excused  
Hansen—present  
Hildenbrand—present  
Hood—present

Hopgood—present  
Hune—present  
Hunter—present  
Jansen—present  
Johnson—present  
Jones—present  
Kahn—present  
Kowall—present  
Marleau—present  
Meekhof—present  
Moolenaar—present  
Nofs—present

Pappageorge—present  
Pavlov—present  
Proos—present  
Richardville—present  
Robertson—present  
Rocca—present  
Schuitmaker—present  
Smith—present  
Walker—present  
Warren—present  
Whitmer—present  
Young—present

Reverend Chico Daniels of Mel Trotter Ministries of Grand Rapids offered the following invocation:

Father, in Jesus' name, we give thanks for the United States and its government. We hold up in prayer before You the men and women who are in positions of authority. We pray and intercede for our President, the Representatives, the Senators, the judges of our land, the policemen and policewomen, as well as the governors and mayors, and for all those who are in authority over us in any way.

We pray that the Spirit of the Lord rest upon them. We believe that skillful and godly wisdom has entered into the heart of our leaders, and knowledge is pleasant to them, discretion watches over them, and understanding keeps them and delivers them from the way of evil and from evil men.

Father, we ask that You surround our leaders with men and women who make their hearts and ears attentive to godly counsel and do that which is right in Your sight. We believe You caused them to be men and women of integrity who are obedient concerning us; that we may lead a quiet and peaceable life in all godliness and honesty.

We pray that the upright is well in our government; that men and women blameless and complete in Your sight, Father, shall remain in these positions of authority; but the wicked shall be cut off from our government, and the traitorous shall be rooted out of it. Your word declares that blessed is the nation whose God is the Lord. We receive Your blessing, Father. You are our refuge and stronghold in times of trouble. So we declare with our mouths that Your people dwell safely in this land, and we prosper abundantly. We are more than conquerors through Christ Jesus.

It is written in Your word that the heart of the king is in the hand of the Lord and that You turn it whichever way You desire. We believe that the hearts of our President, our Governor, our State Representatives and Senators, and Congress leaders are in Your hand and that their decisions are divinely directed by You, Lord.

We give thanks unto You that the good news of the Gospel is published in our land and that the word of the Lord prevails and grows mightily in the hearts and lives of the people. We give thanks for this land and the leaders You have given us. In Jesus' name. Amen.

The President pro tempore, Senator Schuitmaker, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senators Young and Kahn entered the Senate Chamber.

Senator Hunter moved that Senator Johnson be temporarily excused from today's session.  
The motion prevailed.

Senator Hunter moved that Senator Gregory be excused from today's session.  
The motion prevailed.

The following communication was received and read:  
Office of the Auditor General

February 7, 2013

Enclosed is a copy of the Comprehensive Annual Financial Report of the Bureau of State Lottery for the fiscal years ended September 30, 2012 and 2011.

If you have any questions regard this report, please call me; or Scott M. Strong, C.P.A., Deputy Auditor General; or Mark A. Freeman, C.P.A., Audit Division Administrator for contract audits.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The audit report was referred to the Committee on Government Operations.

The following communication was received:  
Wayne County Airport Authority

February 6, 2013

Please find enclosed a copy of our 2012 Audited Financial Statements per the requirements of Public Act 90 of 2002. If you have any questions, please contact me at (734) 247-6775

Sincerely,  
Marge Basrai, C.P.A.  
Controller

The communication was referred to the secretary for record.

The following communication was received and read:  
Office of the Senate Democratic Leader

February 11, 2013

Pursuant to MCL 388.1810a, I am appointing Senator Glenn Anderson to serve on the statutory committee created to develop a process to improve the transferability of core college courses between community colleges and public universities on a statewide basis.

Thank you and please do not hesitate to contact me if you have any questions.

Very truly yours,  
Gretchen Whitmer  
Senate Democratic Leader  
23rd District

The communication was referred to the secretary for record.

The Secretary announced that the following bills and joint resolutions were printed and filed on Thursday, February 7, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>153</b>	<b>154</b>	<b>155</b>	<b>156</b>	<b>157</b>	<b>158</b>	<b>159</b>	<b>160</b>	<b>161</b>	<b>162</b>	<b>163</b>	<b>164</b>	<b>165</b>	<b>166</b>
	<b>167</b>	<b>168</b>	<b>169</b>	<b>170</b>										
<b>House Bill Nos.</b>	<b>4191</b>	<b>4192</b>	<b>4193</b>	<b>4194</b>	<b>4195</b>	<b>4196</b>	<b>4197</b>	<b>4198</b>	<b>4199</b>	<b>4200</b>	<b>4201</b>	<b>4202</b>	<b>4203</b>	
<b>House Joint Resolutions</b>		<b>I</b>	<b>J</b>											

The Secretary announced that the following bills were printed and filed on Friday, February 8, and are available at the Michigan Legislature website:

<b>House Bill Nos.</b>	<b>4204</b>	<b>4205</b>	<b>4206</b>	<b>4207</b>	<b>4208</b>	<b>4209</b>	<b>4210</b>
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Senator Meekhof moved that Senator Casperson be temporarily excused from today's session.  
The motion prevailed.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

10:55 a.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senator Casperson entered the Senate Chamber.

The following communication was received and read:  
Office of the Senate Majority Leader

February 11, 2013

Pursuant to MCL 388.1810a, I am appointing Senator Darwin Booher to serve on the statutory committee created to develop a process to improve the transferability of core college courses between community colleges and public universities on a statewide basis.

If you have any questions, please do not hesitate to contact Teri L. Ambs in my office at 373-3543.

Respectfully yours,  
Randy Richardville  
Senate Majority Leader

The communication was referred to the secretary for record.

### Messages from the Governor

The following message from the Governor was received and read:

February 6, 2013

I respectfully submit to the Senate the following appointments to office:

#### Michigan Humanities Council

Brian D. Brunner of 1001 Glen Avenue, Mount Pleasant, Michigan 48858, county of Isabella, succeeding D.J. Hoffman, is appointed for a term expiring December 31, 2015.



The following bill was read a third time:

**Senate Bill No. 52, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2012 PA 497.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 14**

**Yeas—35**

Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Green	Kahn	Richardville	

**Nays—0**

**Excused—2**

Gregory	Johnson
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**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 53, entitled**

A bill to amend 2006 PA 379, entitled “Qualified forest property recapture tax act,” by amending section 4 (MCL 211.1034).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 15**

**Yeas—35**

Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Green	Kahn	Richardville	



The following bill was read a third time:

**Senate Bill No. 55, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 17**

**Yeas—36**

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Caswell	Hunter	Nofs	Walker
Colbeck	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green	Jones	Pros	Young

**Nays—0**

**Excused—1**

Gregory

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 56, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 18**

**Yeas—36**

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Caswell	Hunter	Nofs	Walker
Colbeck	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green	Jones	Pros	Young

**Nays—0**

**Excused—1**

Gregory

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 57, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 19**

**Yeas—36**

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Caswell	Hunter	Nofs	Walker
Colbeck	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green	Jones	Proos	Young

**Nays—0**

**Excused—1**

Gregory

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.



The following bill was read a third time:

**Senate Bill No. 58, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 20**

**Yeas—36**

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Caswell	Hunter	Nofs	Walker
Colbeck	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green	Jones	Proos	Young

**Nays—0**

**Excused—1**

Gregory

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 59, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 51102, 51103, 51108, 51113, and 51115 (MCL 324.51102, 324.51103, 324.51108, 324.51113, and 324.51115), sections 51102 and 51115 as added by 1995 PA 57, sections 51103 and 51113 as amended by 2006 PA 383, and section 51108 as amended by 2012 PA 248.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 21**

**Yeas—36**

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Caswell	Hunter	Nofs	Walker

Colbeck  
Emmons  
Green

Jansen  
Johnson  
Jones

Pappageorge  
Pavlov  
Proos

Warren  
Whitmer  
Young

**Nays—0**

**Excused—1**

Gregory

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

### **General Orders**

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Caswell as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

#### **Senate Bill No. 43, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 530 and 8132 (MCL 600.530 and 600.8132), section 8132 as amended by 2011 PA 300.

The bill was placed on the order of Third Reading of Bills.

### **Resolutions**

Senators Proos, Pavlov, Kowall, Hansen, Robertson, Marleau, Caswell, Casperson, Walker, Green, Nofs, Jansen and Booher offered the following concurrent resolution:

#### **Senate Concurrent Resolution No. 6.**

A concurrent resolution to memorialize the President and the Congress of the United States to support the continued and increased development and importation of oil derived from North American reserves and to urge the United States Secretary of State to approve the newly-routed Keystone XL pipeline application from TransCanada.

Whereas, The United States relies—and will continue to rely for many years—on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy. In order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

Whereas, The United States accounts for 20 percent of world energy consumption and is the world’s largest petroleum consumer. The U.S. consumes more than 18 million barrels of oil each day, and forecasts suggest this will not change for decades. Current imports amount to over 8 million barrels each day, approximately 50 percent of the United States’ requirements. Even with new technology, oil discoveries, alternative fuels, and conservation efforts, the U.S. will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food, and drive their vehicles, but to allow the U.S. economy to thrive and grow free from the potential threats and disruptions of crude oil supply from less secure parts of the world; and

Whereas, The growing production of conflict-free oil from Canada’s oil sands and the Bakken Formation in Saskatchewan, Montana, North Dakota, and South Dakota can replace crude imported from countries that do not share American values. However, additional pipeline capacity to refineries in the U.S. Midwest and Gulf Coast is required; and

Whereas, Increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards—equal to that of the U.S.—and some of the most stringent human rights and worker protection legislation in the world; and

Whereas, Improvements in production technology have reduced the carbon footprint of Canadian oil sands development by 26 percent on a per-barrel basis since 1990. Oil sands production accounts for 6.9 percent of Canada’s greenhouse gas (GHG) emissions and 0.1 percent, or one-thousandth, of global GHG emissions. Total emissions from Canada’s oil sands sector was 48 megatons in 2010, equivalent to 0.5 percent of U.S. GHG emissions. Oil sands crude has similar carbon dioxide emissions to other heavy oils and is 9 percent more carbon-intensive than the average crude refined in the U.S. on a wells-to-wheels basis; and

Whereas, The 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day (bpd), or half of U.S. refining capacity. In 2011, these refineries imported approximately 5 million bpd of crude oil from more than 30 countries, with the top four suppliers being Mexico (22 percent), Saudi Arabia (17 percent), Venezuela (16 percent), and Nigeria (9 percent). Imports from Mexico and Venezuela are declining as production from these countries decreases and supply contracts expire. Once completed, TransCanada’s Keystone XL and Gulf Coast Expansion projects could displace roughly 40 percent of the oil the U.S. currently imports from the Persian Gulf and Venezuela; and

Whereas, The Keystone XL pipeline project has been subject to the most thorough public consultation process of any proposed U.S. pipeline. It has also been the focus of multiple environmental impact statements and several U.S. Department of State studies. These analyses have concluded that it poses the least impact to the environment and is much safer than other modes of transporting crude oil; and

Whereas, Pipelines are the safest method for the transportation of petroleum products when compared to other methods of transportation. The Keystone XL pipeline will replace the equivalent of 200 ocean tankers per year. This will reduce greenhouse gas emissions by as much as 19 million tons, or the equivalent of taking almost 4 million cars off the road; and

Whereas, The original Keystone pipeline, which spans across the northern part of Missouri, supplies over 435,000 barrels of North American crude oil to American refineries in the Midwest. The Keystone XL pipeline will, when completed, carry 700,000 barrels of North American crude oil to American refineries in the Gulf Coast region which will make its way back to Missouri in the form of gasoline, diesel, and jet fuel; and

Whereas, The Keystone XL project will create approximately 9,000 construction jobs. The Gulf Coast project is a \$2.3 billion project that will create approximately 4,000 construction jobs. Combined, they support yet another 7,000 manufacturing jobs. Seventy-five percent of the pipe used to build the Keystone XL in the U.S. will come from North American mills, including half made by U.S. workers. Goods for the pipeline, valued at approximately \$800 million, have already been sourced from U.S. manufacturers; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we:

1. Support continued and increased development and delivery of oil derived from North American oil reserves to American refineries;

2. Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States;

3. Urge the President of the United States to support the continued and increased importation of oil derived from the Bakken Formation in Saskatchewan, Montana, North Dakota, and South Dakota, as well as Canadian oil sands; and

4. Urge the U.S. Secretary of State to approve the newly-routed pipeline application from TransCanada to reduce dependence on unstable governments, create new jobs, improve our national security, and strengthen ties with an important ally; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the U.S. Secretary of State, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Energy and Technology.

The motion prevailed.

Senators Brandenburg, Colbeck and Pappageorge were named co-sponsors of the concurrent resolution.

### Introduction and Referral of Bills

Senators Pavlov, Jones, Proos, Walker, Casperson and Booher introduced

#### **Senate Bill No. 171, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40119 (MCL 324.40119), as amended by 2004 PA 587.

The bill was read a first and second time by title and referred to the Committee on Outdoor Recreation and Tourism.

Senators Casperson, Pavlov, Proos, Jones, Walker and Booher introduced

**Senate Bill No. 172, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 73109 and 73110 (MCL 324.73109 and 324.73110), as amended by 1998 PA 546.

The bill was read a first and second time by title and referred to the Committee on Outdoor Recreation and Tourism.

Senators Jansen, Casperson, Green, Brandenburg, Pappageorge, Meekhof, Robertson and Kowall introduced

**Senate Bill No. 173, entitled**

A bill to provide statewide uniformity in requirements for employers to provide leave to their employees.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senators Proos, Jansen, Jones, Hansen, Young, Colbeck, Marleau and Pappageorge introduced

**Senate Bill No. 174, entitled**

A bill to require certain consumer reporting agencies to place security freezes for protected consumers under certain circumstances; to provide for the removal of those security freezes; to authorize and limit fees; and to provide remedies.

The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senators Pappageorge, Colbeck, Robertson, Brandenburg, Nofs, Moolenaar, Marleau, Casperson, Kahn and Green introduced

**Senate Bill No. 175, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 105, 151, 155, 159, 171, 179, 300, 302, 306, 316, 328, 354, 368, 372, 374, 376, 378, 380, 382, 382a, 384, 388, and 410 (MCL 32.505, 32.551, 32.555, 32.559, 32.571, 32.579, 32.700, 32.702, 32.706, 32.716, 32.728, 32.754, 32.768, 32.772, 32.774, 32.776, 32.778, 32.780, 32.782, 32.782a, 32.784, 32.788, and 32.810), sections 105 and 179 as amended by 2002 PA 133, section 159 as amended by 1998 PA 212, section 302 as amended by 2002 PA 654, section 306 as amended by 2010 PA 255, section 328 as amended by 1988 PA 493, sections 368 and 382 as amended and section 382a as added by 1992 PA 307, and section 410 as amended by 1980 PA 145; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senator Hildenbrand introduced

**Senate Bill No. 176, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 609, 614, and 618 (MCL 330.1609, 330.1614, and 330.1618).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Hildenbrand introduced

**Senate Bill No. 177, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5303 and 5306 (MCL 700.5303 and 700.5306), section 5303 as amended by 2000 PA 468 and section 5306 as amended by 2004 PA 532.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Schuitmaker introduced

**Senate Bill No. 178, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c.

The bill was read a first and second time by title and referred to the Committee on Insurance.

Senator Schuitmaker introduced

**Senate Bill No. 179, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

The bill was read a first and second time by title and referred to the Committee on Insurance.

### Statements

Senators Colbeck, Whitmer, Jones and Caswell asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Colbeck's statement is as follows:

I rise today with a call to my colleagues to avoid a bait-and-switch decision that we're going to be faced with in the upcoming weeks. I'd just like to harken back to June 6, 2009, when President Obama unleashed his plan for a government-run health care system that would lower costs, improve quality and coverage, and also protect consumer choice. Today, as a direct result of the passage of what is commonly known as Obamacare, we are seeing more taxes taken out of our middle-class paychecks and the prospect of skyrocketing insurance premiums in 2014. We are seeing that quality is decreasing as access to care for which you are eligible becomes a function of your age and political affiliations, not your needs. We are seeing that the administration's idea of consumer choice is really a case of my way or the highway.

One thousand two hundred thirty-one organizations have successfully applied for waivers to Obamacare and thereby established a privileged class of 613,625 Americans. Clearly, there are many people concerned about this legislation.

Against this backdrop, we have a federal government that has failed to pass a budget for over four years. Their continuing budget resolutions feature trillion-dollar deficit after trillion-dollar deficit. Why is the federal government having such difficulty balancing their budgets? Federal political dysfunction aside, the plain truth of the matter is that entitlement is spiraling out of control.

In contrast, our state government has not only passed our budget four months early in the past two years, we have also made sure it was balanced, paid down debts, and put aside funds for a rainy day. The Governor and my fellow legislators have worked hard to restore a measure of fiscal stability in our state to protect our youth from an unbearable financial burden.

And now, our great state of Michigan is being asked—okay, told—by the federal government to hitch a ride on their road to serfdom. Yes, Obamacare is indeed the law of the land. I took an oath of office to support the U.S. Constitution and the Supremacy Clause contained therein. I will indeed honor that oath, but I will not do so blindly. In addition to continued advocacy for the repeal of this anti-American legislation, we need to make sure that we push the envelope of compliance in favor of the citizens of Michigan.

Yes, we need to lower the costs of health care. Yes, we need to improve the quality and coverage. Yes, we need to protect consumer choice. Clearly, the Obamacare blueprint strikes out on all three goals. Thankfully, there are simple solutions that do accomplish these laudable goals with simple modifications to federal regulations. These solutions all revolve around a return to the most basic of American principles: freedom.

The first of these solutions is to simply allow the free market to participate. Keep government focused on government safety net programs such as Medicaid and Medicare. Let the private sector provide health care services outside the shackles of a government-run exchange. Allow multiple private-sector exchanges to connect with government systems that determine eligibility for government assistance for their customers. Competition will drive down prices, improve quality, and provide more consumer choice.

The second of these solutions is to stop the federal government from telling us what kind of health care we must have. Every state already has a unique set of insurance coverage mandates. We don't need the federal government piling on with national mandates. We need to remove the federal regulatory authority to define "essential benefits" when it comes to health insurance. In addition to driving up health care costs, this regulatory authority has resulted in objectionable infringements on religious liberty.

As of January 31, 2013, 25 other states have said no to state-based exchanges. Much has been made of states being granted the opportunity to make their own exchanges. What our citizens need to know is that while these exchanges might be created by the states or even operated by the states, they are not—I repeat, not—controlled by the states. The federal government makes all the rules.

The federal government is playing entitlement hot potato with the citizens of Michigan and with all the United States. They're playing this hot potato with regards to your health and your wealth. They are now attempting to pass their hot potato of debt and out-of-control spending to the hardworking citizens of Michigan.

We need to avoid the bait-and-switch, my friends. We need to avoid the implementation of the Obamacare health exchange.

Senator Whitmer's statement, in which Senator Young concurred, is as follows:

I can't let today's session conclude without talking about a decision made by this body last Friday to alter the health care coverage that we provide for our hardworking staff here in the Michigan Senate. In an e-mail sent out through the Secretary of the Senate's office, our employees—or should I say, our female employees—were told that abortion care would no longer be covered for us or for any of our daughters. No exceptions to the rule. No explanations provided. It was a decision that came down just hours after our colleagues in the House were publicly shamed for their anti-women agenda. So I guess there were some here in this chamber who were desperate to show that the Senate can be every bit as tone deaf when it comes to women's issues.

Well, bravo, my friends because the spotlight in Michigan's war on women is now shining brightly on you. You know, when I got that letter, I had to ask myself why? And then I read about one of my colleagues taking credit for, well, he didn't like to; she simply asked that we not extend that coverage to any woman.

Now let me get it straight: One Senator can change health care for all of us? Well, if that is the case, can I say we should no longer cover Viagra and have that apply to all of you? I doubt it because 34 out of 38 members of this body are men. We have returned to an old boys network here at the Capitol, where it is okay for the same Senator to call a woman a hooker who disagrees with him and now he takes away our health care.

When I came into this chamber in 2006, winning the special election, we celebrated an historic high of 12 women in this chamber. When you had strong women like Shirley Johnson and Bev Hammerstrom, Senator, if you had sat next to them in your caucuses, I guarantee you wouldn't have had the temerity to call a woman a hooker or audacity to take away someone's health care. I can't imagine you would have those guts and yet protect your Viagra.

No woman ever wants to be in a position where an abortion is necessary, but there are very real circumstances that women face where that sad situation is the case. To not even consider that fact as this policy was written shows that you either don't understand or you don't care what too many women have to go through.

So let's be very clear: This decision to specifically alter the Senate health plan to take away coverage is not based on anything that has to do with fiscal conservatism because it doesn't save a dime. It is about an ideological war, and the reality of this is that it's a decision based purely on politics without any regard to the consequences of it. The truth is the consequences are frightening.

To those who pursued this change, I ask you to consider the women you have on staff today. What if, God forbid, one of them were raped and became pregnant from that rape? You just sent them the message here that satisfying your own political ego is more important than ensuring that they have health care in their darkest moment. You have told them that they are on their own not because we could not put their interest first, but because you didn't want to put their interest first. Perhaps most shamefully, you have told them that despite everything they do in support of you and your constituents, you are not willing to support them or our girls in return.

I know not all of you on the other side of the aisle pursued this change, but not speaking out and not standing up for our female staff members as it moves forward isn't any better. I encourage each of you to sit down with them and ask them how they feel about this. There has been a lot that has taken place inside our Capitol over the past year for women to be disgusted by. Let's not give them another reason by letting this go forward.

Senator Jones' statement is as follows:

I would like to direct my comments to the Chair to the comments that were directed at me through the Chair. I have never ever called women hookers. I did refer to a lobbyist whose policy was for sale. That same lobbyist's client came to my office, a state office, and said, "I would like to be your friend. I give money to both sides." Yes, I think that lobbyist policies are for sale.

As to the abortion coverage, it came to my attention that the House hasn't had this for a very long time. I thought it was important that we bring the Senate in line with the House policies.

Senator Caswell's statement is as follows:

On a lighter note, I had the opportunity to visit a dialysis unit that just opened up in Hillsdale County. They have already discovered that they are going to have to expand because of the number of patients they have.

My purpose in pointing this out to the Senate today is that each dialysis patient we have in this state costs about \$87,000 per year in order to maintain their health. Many of them get put on a kidney transplant list, which if they are lucky enough to be able accomplish that, they no longer have to do dialysis. You can do dialysis forever. You can maintain your health, but it is, obviously, extremely expensive.

The Kidney Foundation in this state has worked very hard at putting in place effective educational programs. In the last 10 to 15 years, we have seen the rate of increase of people who have to be on dialysis go down from 7 percent to 2 percent. It is still going up but much slower. The reason that I say this is because we don't need government to dictate what we can eat, what we can't eat. We don't need government to be Big Brother in all this. What we need are educational programs, which is what the Kidney Foundation has been doing for the last 10 to 15 years, and it has proven to be very effective.

I congratulate them for their success. I urge them to continue, and as we continue our discussion on these things, I just wanted the members to remember that education is much better than dictates.

## Committee Reports

The Committee on Outdoor Recreation and Tourism reported

### **Senate Bill No. 16, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43559 (MCL 324.43559), as amended by 1998 PA 95, and by adding section 1616.

With the recommendation that the bill pass.  
The committee further recommends that the bill be given immediate effect.

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Young and Hopgood  
Nays: None  
The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:  
Meeting held on Thursday, February 7, 2013, at 12:30 p.m., Room 210, Farnum Building  
Present: Senators Hansen (C), Hildenbrand, Meekhof, Young and Hopgood  
Excused: Senators Casperson and Moolenaar

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 19, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 33 (MCL 445.1683), as amended by 2009 PA 76.

With the recommendation that the bill pass.  
The committee further recommends that the bill be given immediate effect.

Darwin L. Booher  
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau and Rocca  
Nays: None  
The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:  
Meeting held on Thursday, February 7, 2013, at 1:30 p.m., Room 100, Farnum Building  
Present: Senators Booher (C), Nofs, Green, Marleau and Rocca  
Excused: Senators Hunter and Smith

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Joint meeting held on Thursday, February 7, 2013, at 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Kahn (C), Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson  
Excused: Senator Moolenaar

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Licensing and Regulatory Affairs submitted the following:  
Meeting held on Thursday, February 7, 2013, at 1:30 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Jansen (C) and Proos  
Excused: Senator Johnson

**Scheduled Meetings**

**Administrative Rules** - Thursday, February 14, 2:00 p.m., Room 426, Capitol Building (373-5575)

**Appropriations** - Wednesday, February 13, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Subcommittees -**

**Community Colleges** - Wednesday, February 20, 9:00 a.m., Room 405, Capitol Building (373-2768)

**Community Health Department** - Thursday, February 14, 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Environmental Quality Department** - Tuesday, February 19, 12:30 p.m., Room 110, Farnum Building (373-2768)

**Higher Education and House Higher Education Appropriations Subcommittee** - Wednesday, February 13, 3:15 p.m. or later after committees are given leave by the House to meet, House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Human Services Department** - Thursday, February 14, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower; and Tuesday, February 19, 2:00 p.m., Room 405, Capitol Building (373-2768)

**Judiciary** - Wednesday, February 13, 1:00 p.m., Room 110, Farnum Building (373-2768)

**K-12, School Aid, Education** - Wednesday, February 13, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education and House School Aid Appropriations Subcommittee** - Tuesday, February 26, 8:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Licensing and Regulatory Affairs Department** - Thursday, February 14, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Natural Resources Department** - Tuesday, February 19, 12:00 noon, Room 110, Farnum Building (373-2768)

**State Police and Military Affairs** - Thursdays, February 14, February 21, February 28, and March 7, 3:00 p.m., Room 405, Capitol Building (373-2768)

**Infrastructure Modernization and House Transportation and Infrastructure** - Thursday, February 14, 2:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Legislative Council** - Thursday, February 21, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Michigan Law Revision Commission** - Thursday, February 21, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Natural Resources, Environment and Great Lakes** - Thursday, February 14, 8:30 a.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:30 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, February 13, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate